

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

JERRY LEON DEES, JR.,

Plaintiff,

Vs.

HYUNDAI MOTOR MANUFACTURING
ALABAMA, LLC, and HYUNDAI
MOTOR AMERICA, INC.,

Defendants.

*
*
*
*
*
*
*
*
*
*
*

**CASE NO.
2:07-cv-00306-MHT-CSC**

**PLAINTIFF'S SUPPLEMENTAL EVIDENTIARY SUBMISSION IN SUPPORT OF HIS
RESPONSE IN OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY
JUDGMENT**

COMES NOW Plaintiff, Jerry Leon Dees, Jr., and submits this Supplemental Evidentiary Submission in Support of His Response in Opposition to Defendant's Motion for Summary Judgment (to provide deposition excerpts cited in his brief but erroneously omitted from his initial evidentiary submission, and not submitted by Defendants in their evidentiary submission) as follows:

TABLE OF SUPPLEMENTAL EXHIBITS

<u>Exh #</u>	<u>Description</u>
2-1	Deposition of Katherine Dees – Additional Excerpts

s/ Vincent F. Kilborn, III
Vincent F. Kilborn, III (KILBV4484)

s/ David A. McDonald
David A. McDonald (MCDOD5329)

s/ W. Perry Hall
W. Perry Hall (HALLW9043)

s/ Jeffrey R. Sport
Jeffrey R. Sport (SPORJ5390)

OF COUNSEL:

KILBORN, ROEBUCK & McDONALD
1810 Old Government Street
Post Office Box 66710
Mobile, Alabama 36660
Telephone: (251) 479-9010
Fax: (251) 479-6747
E-mail: vfk@krmlaw.us
E-mail: dam@krmlaw.us
E-mail: wph@krmlaw.us
E-mail: jeff.sport@sportlaw.us

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I do hereby certify that I have on the 7th day of February, 2008, electronically filed the foregoing pleading with the Clerk of Court using the CM/ECF system which will send notification of such filing to:

J. Trent Scofield, Esq.
T. Scott Kelly, Esq.
OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.
One Federal Place, Suite 1000
1819 Fifth Avenue North
Birmingham, AL 35203-2118

Matthew K. Johnson, Esq.
OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.
P.O. Box 2757
Greenville, SC 29602

s/ Jeffrey R. Sport
COUNSEL

KATHERINE DEES

Page 1

IN THE UNITED STATES DISTRICT COURT

FOR THE MIDDLE DISTRICT OF ALABAMA

NORTHERN DIVISION

CASE NO.: 2:07-cv-00306-MHT-CSC

JERRY LEON DEES, JR.,

Plaintiff,

V.

HYUNDAI MOTOR MANUFACTURING ALABAMA, LLC and

HYUNDAI MOTOR AMERICA, INC.,

Defendants.

S T I P U L A T I O N S

IT IS STIPULATED AND AGREED by and between the parties, through their respective counsel, that the deposition of KATHERINE DEES may be taken before STACEY L. JOHNSON, Commissioner, at the Hampton Inn, 60 Wasden Road, Hope Hull, Alabama, on the 8th day of January, 2008.



1 application process or the people that he talked
2 to before he got the job?

3 A No, sir. I don't remember.

4 Q Now, you know --

5 A Other than like I have to go training
6 this time, you know; I'll be back home this
7 time.

8 Q Okay. Now, obviously, you know that
9 your husband has alleged that one or more
10 employees at HMMA harassed him or gave him
11 problems related to his military service.

12 A Uh-huh.

13 Q You're aware of that?

14 A Yes, sir.

15 Q Okay. When is the first time you
16 recall anything like that after November of
17 2005?

18 A Somewhere -- I noticed -- he don't tell
19 me a whole lot of stuff that goes -- something
20 going on at work, because if -- I'm kind of
21 worrying type. So if something happened, he
22 don't tell me because he know I'm going to
23 worry.

KATHERINE DEES

Page 30

1 Q I understand.

2 A But he's jolly person. He's always
3 jolly person, you know, happy with anything,
4 anybody. But there was times like after summer
5 I've noticed that -- of course, you know, he was
6 working like two or three months at night and,
7 you know, next two or three -- I think it was
8 three months to begin with. So we didn't talk
9 whole lot when he's working nights because he'll
10 be sleeping and I'll be at work. Anyhow, I've
11 noticed him not talking too much, you know.

12 Q About, what, work or just in general?

13 A Just in general.

14 Q Okay.

15 A You know, I knew something was
16 bothering him.

17 Q And that was, you said, after summer?

18 A Sometimes.

19 Q And that would be summer of 2006?

20 A Right.

21 Q From November of 2005 through sometime
22 after the summer of 2006, did you have any
23 reason to think he was having any problem at

KATHERINE DEES

Page 62

1 harassing him.

2 Q Harassing him how?

3 A The one incident that I remember to
4 think, he had a lot of folded notes and stuff on
5 the counter, and I asked him what is this.
6 Because he's left-handed. I don't even bother
7 to read his handwriting because it takes me a
8 while for me to figure what those words are. So
9 I said, what is all these notes for. He said,
10 just leave it alone. It's just me. I'm keeping
11 it for my record for work. And I said, okay.
12 And he leaves there and he leaves some in the
13 truck. And I got onto him a couple times. You
14 know, if you're going to keep note, put it in
15 one place and don't leave it in here, there. He
16 said, that's okay; it goes with me at work and
17 comes back, you know. Anyway -- and he was
18 telling me why he kept all the notes, that he
19 kept the notes, and he's been -- Prater has been
20 harassing him with the military. I just got the
21 pieces together.

22 Q When did he tell you all that? When
23 did you put those pieces together?